

Appln. S/N 10/787,173
Amdt. dated June 7, 2006
Reply to Office Action dated March 7, 2006

REMARKS

Applicant has amended claims 1, 11, 12, 20 and 21. Claims 1-21 remain pending in the application. Claim 20 has been amended to address a typographical error.

The Examiner rejected claims 1-9 and 11-22 under 35 USC 103(a) as being unpatentable over Dyer et al (U.S. Patent No. 6,978,163) in view of Burson et al (U.S. Patent No. 6,923,688). Applicant has amended independent claims 1, 11, 12 and 20, and submits that these amended independent claims overcome the obviousness rejection under 35 USC 103(a). The Examiner has further rejected claim 10 under 35 USC 103(a) as being unpatentable in view of the above combination of Dyer and Burson in view of Grivas et al (U.S. Patent Publication No. 2004/0116161).

The Examiner, in rejecting claim 1, states that Dyer discloses a dongle integrated into a carrying case which is configured to carry both a wireless telephone and a wireless headset. The Examiner further states that Dyer also discloses the following feature: "carrying case 1005 includes integrated dongle 1010..." This dongle contains a charging apparatus for connecting the wireless headset to the wireless telephone. In combination with the disclosure of Burson, the Examiner has rejected claim 1 as being obvious. The Examiner relies upon Burson to teach a mating structure for releasably retaining the peripheral device in electrical contact with the mobile device retained in the sleeve so as to permit the mobile device to charge a batter in the peripheral device.

Applicant has amended claim 1 to recite that the mating structure is for "releasably retaining the peripheral device in direct electrical contact with the mobile device". Applicant submits that this is taught in neither the Dyer or Burson references, and in fact is taught away from by the Dyer reference.

Applicant directs the Examiner's attention to the Dyer reference, specifically to column 3 at lines 47-54 which state "... the dongle has been re-invented as a device which not only functions as a transceiver but which also provides a variety of other functions. Some dongles according to the present invention are formed to hold a wireless headset. Some dongles are integrated with a battery charger which can charge the batter of the dongle, the wireless headset or other devices."

With reference to the holsters discussed in Figures 10-14, Dyer discusses the integration of the dongle into a holster. The dongle serves to connect the headset to the wireless telephone. The dongle also serves as a charging station for the headset.

Applicant notes that in Dyer there is no direct contact between the headset and the telephone to allow charging. Applicant further notes that the Burson reference teaches only connection of a headset to a dedicated charger, and not to a device such as a telephone to obtain a charge. Accordingly, Applicant submits that the combination of Dyer and Burson does not teach "a mating structure for releasably retaining the peripheral device in direct electrical contact with the mobile

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device", and in fact Dyer's teaching of the integration of the dongle into the holster teaches away from the invention as claimed.

Accordingly Applicant submits that claim 1 is patentable in view of the combination of Dyer and Burson, and requests that the rejection of claim 1 under 35 USC 103(a) be withdrawn.

Applicant notes that claims 11, 12 and 20 have been amended along the same lines as claim 1. Accordingly Applicant reiterates the arguments made above with respect to claim 1 and applies them to each of claims 11, 12 and 20. Applicant requests that in view of these arguments, the rejection of claims 11, 12, and 20 be withdrawn.

Applicant notes that all other pending claims depend, either directly or indirectly from one of claims 1, 11, 12 and 20, and as such include all the limitations of the independent claim from which they depend. As all the independent claims are submitted as being patentable in view of the cited references, Applicant submits that the dependent claims are similarly patentable and requests that the rejection of these claims under 35 USC 103(a) also be withdrawn.

Applicant notes that claim 10 was rejected through use of the Grivas reference in combination with Dyer and Burson. Applicant notes that Grivas does not teach direct connection of a peripheral device and a mobile device in a holster to allow charging, and as such the use of the Grivas reference does not teach the matter of either claim 10 or claim 1 from which it depends. Withdrawal of that rejection is requested.

Applicant submits that the application is now in condition for allowance and earnestly solicits action to that end.

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

Respectfully submitted,

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